# CALTRANS STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION BID FOR

BUILDING CONSTRUCTION
SAN BERNARDINO COUNTY AT THE CALTRANS MAINTENANCE STATION 175 WEST
CLUSTER STREET SAN BERNARDINO, CALIFORNIA 92402
In District 08 on Route L5726

### UNDER

Notice to Bidders and Special Provisions dated April 18, 2016 Project plans approved February 16, 2016 Standard Specifications dated 2010 Standard Plans dated 2010

Identified by

Contract No. 08-0K8414

08-SBd-L5726-L5726

Project ID 0814000073

Bids open Wednesday, May 11, 2016

Dated April 18, 2016

AADD

\_\_\_\_\_

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc.

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

Bidder ID: VC1300005404

Name of Bidder Dalke & Sons Construction, Inc.

Bidder ID VC1300005404

Business Street Address 4585 Allstate Dr

(Include even if P.O. Box is used)

Business P.O. Box

City, State, Zip Riverside, CA, 92501

Telephone No. 951-274-9880

Fax No. 951-274-0319

Contractor License No.612500

California Department of Industrial Relations Registration number\*\* 1000003081 Checksum 916F5B4D

 Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non\*plant establishment work within the number of working days bid for non\*plant establishment work.

- 2. Bidder has and acknowledges the following addenda: 2 05-09-16 Revise Bid Opening date,
- 3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
- 4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

\_\_\_\_\_

- 4.1 Criminal prosecution
- 4.2 Rejection of the bid
- 4.3 Rescission of the award
- 4.4 Termination of the Contract

PRINTED NAME:Barry Dalke AND TITLE OF PERSON SIGNING:Vice President

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

Item	   Item   Code	   Item   Description	Estimated   Quantity  Unit of  Measure	Unit Price	Item Total
	130100  MANAGEM	JOB SITE	   LUMP SUM     LS	LUMP SUM	45,137.00
2	•	PREPARE WATER ON CONTROL	LUMP SUM	LUMP SUM	595.00
3	150608  LINK FE	REMOVE CHAIN NCE	   80.0  LF	14.71	1,176.80
4	800103  (TYPE C	TEMPORARY FENCE L-6)	   130.0  LF	18.87	2,453.10
5	994650	BUILDING WORK	LUMP SUM	LUMP SUM	944,103.00
			 	\$993,464.90	

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Dalke & Sons Construction, Inc.

List this sub? Yes

1) Business Name Airite Heating & Air Location City Ontario State CA California Contractor License Number 232930 Public Works Contractor Registration Number 1000001494 Portion of Work Subcontracted:

Item %

Description

5 2.48 HVAC

List this sub? Yes

2) Business Name Hour Glass & Mirror Location City Colton State CA California Contractor License Number 233292 Public Works Contractor Registration Number 1000002023 Portion of Work Subcontracted:

Item %

Description

5 4 Windows & Storefront

List this sub? Yes

3) Business Name Weber's Plumbing Location City Winchester State CA California Contractor License Number 444338 Public Works Contractor Registration Number 1000017279 Portion of Work Subcontracted:

Item %

Description

5 4.33 Building Plumbing

5 4.73 Site Utilities

### List this sub? Yes

5) Business Name Finishing Touch
Location City Garden Grove State CA
California Contractor License Number 870143
Public Works Contractor Registration Number 1000017499
Portion of Work Subcontracted:

Item %
5 .57 Cabinetry

Description

List this sub? Yes

6) Business Name Sheet Metal Systems
Location City Riverside State CA
California Contractor License Number 533923
Public Works Contractor Registration Number 1000002548
Portion of Work Subcontracted:

Item %
5 3 Sheet Metal & Metal Roofing

Description

\_\_\_\_\_

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Dalke & Sons Construction, Inc.

List this sub? Yes

7) Business Name Streamline Painting Location City Moreno Valley State CA California Contractor License Number 799584 Public Works Contractor Registration Number 1000001540 Portion of Work Subcontracted:

Item %

Description

5 1.23 Painting

List this sub? Yes

8) Business Name AlCal Location City South Gate State CA California Contractor License Number 815286 Public Works Contractor Registration Number 1000001639 Portion of Work Subcontracted:

Item %

Description

5 .88 Insulation

List this sub? Yes

9) Business Name Infinity Drywall Location City Anaheim State CA California Contractor License Number 886097 Public Works Contractor Registration Number 1000005114 Portion of Work Subcontracted:

Item %

Description

5 2.32 Drywall

5 4.28 Plaster

### List this sub? Yes

11) Business Name PCI Location City Lancaster State CA California Contractor License Number 581338 Public Works Contractor Registration Number 1000002603 Portion of Work Subcontracted:

Item % 5 5.4 Concrete Description

List this sub? Yes

12) Business Name JC Framing Location City Temecula State CA California Contractor License Number 908338 Public Works Contractor Registration Number 1000011003 Portion of Work Subcontracted:

Item % 5 11.25 Rough Carpentry Description

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc.

DES-OE-0102.2C (REV 03/2015)

Bidder ID: VC1300005404

Bidding Firm: Dalke & Sons Construction, Inc.

List this sub? Yes

13) Business Name Digital Technologies Location City Ontario State CA California Contractor License Number 894551 Public Works Contractor Registration Number 1000011268 Portion of Work Subcontracted:

Description Item % 5 15.25 Electrical & Voice and Data Cabling

List this sub? Yes

14) Business Name DFS Flooring Location City Ontario State CA California Contractor License Number 999046 Public Works Contractor Registration Number 1000006695 Portion of Work Subcontracted:

Item % 5 .66 Flooring Description

List this sub? Yes

15) Business Name Continental Marble & Tile Location City Corona State CA California Contractor License Number 394 Public Works Contractor Registration Number 1000002594 Portion of Work Subcontracted:

Item %

Description

5 1.05 Ceramic Tile

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc.

ADDITIONAL SUBCONTRACTOR LIST 1 DES-OE-0102.2C (REV 03/2015)

Bidder ID: VC1300005404

Bidding Firm: Dalke & Sons Construction, Inc.

List this sub? Yes

16) Business Name Ed Graves & Associates
Location City Alta Loma State CA
California Contractor License Number 400167
Public Works Contractor Registration Number 1000005652
Portion of Work Subcontracted:

Item %

Description

5 2.47 Grading

List this sub? Yes

17) Business Name Compass Builders
Location City Wildomar State CA
California Contractor License Number 1014045
Public Works Contractor Registration Number 1000038058
Portion of Work Subcontracted:

Item %

Description

5 1.84 Structural Steel

List this sub? Yes

18) Business Name McKernan, Inc.
Location City Redlands State CA
California Contractor License Number 957421
Public Works Contractor Registration Number 1000002082
Portion of Work Subcontracted:

Item %

Description

\_\_\_\_\_

5 2.16 Doors/Frames/Hardware

\_\_\_\_\_\_

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION Contract No.: 08-0K8414 Project ID: 0814000073 Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404 REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE DES-OE-0102.7 (REV 02/2010) COMPLETE ONE OF THE FOLLOWING: \*Small Business Preference small business preference and certifies, The undersigned under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs • 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. Small Business Certification (Reference) Number: Date: Signature: \*Non-Small Business Preference

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs • 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date:	05/18/16	Signature:		
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Contract No. 08-0K8414

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc.

CALIFORNIA COMPANY PREFERENCE DES-OE-102.9 (REV 11/2008)

This form must be completed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code ♦ 6107 and meets one of the following (enter requested information):

1. I am a California company which has its principal place of business in California.

or

2. I a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State:

or

3. I a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State:

California Sales or Use Tax No.:

or

The undersigned certifies that it is not a "California company."

4. I a California company.

My principal place of business is in:

(Enter state or country)

Bidder ID: VC1300005404

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)

Describe:

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE	Signature of Bidder	

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

DES-OE-0102.12A (REV. 8/2012)

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date: 05/18/16 Bidder's Name: Barry Dalke

0 t			
Signature:			

Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

### UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code ♦ 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

### NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of CA County of Riverside

Name: Barry Dalke,

being first duly sworn, deposes and says that he or she is

Vice President of

Dalke & Sons Construction, Inc.

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

### CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ♦ 7110, the contractor acknowledges that:

- 1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
- 2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

### NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ♦ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

### VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ♦ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety

If the answer is yes, explain the circumstances in the following space.

### ANTITRUST LAW

Under Pub Con Code ♦ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code \* 1101, with any public entity, as defined in Pub Cont Code ♦ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

### PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

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Contract No.: 08-0K8414 Project ID: 0814000073

Bidder Name: Dalke & Sons Construction, Inc. Bidder ID: VC1300005404

### BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

- 1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
- 2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?

  No
- 3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

  No
- 4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:
  - 4.1. Date of each nonresponsibility determination
  - 4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination
  - 4.3. Contract number for each nonresponsibility determination

END CERTIFICATIONS

DES-OE 0102.3 (REV 3/2008) Contract No. 08-0K8414
Bond No.
We
as Principal, and
as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,
THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:
WHEREAS, the Principal is submitting a bid to the Obligee, for BUILDING CONSTRUCTION SAN BERNARDINO COUNTY AT THE CALTRANS MAINTENANCE STATION 175 WEST CLUSTER STREET SAN BERNARDINO, CALIFORNIA 92402 In District 08 on Route L5726
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 05-18-16.
NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.
In the event a suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.
Dated:, 20
Principal
Surety
Ву
Attorney-in-Fact

Contract No. 08-0K8414

Page 20

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

BIDDER'S BOND

Correspondence or claims relating to this the following address:	s bond should be sent to the surety at				
CALIFORNIA ALL-PURPOSE A	CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT				
State of California					
County of					
On this before me	,				
Date Her	e insert Name and Title of the Officer				
personally appeared					
Name(s)	of Signer(s)				
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.					
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.					
W	ITNESS my hand and official seal				
SIGNATUR	E				
	Signature of Notary Public				
( )					
(SEAL)					

## THE AMERICAN INSTITUTE OF ARCHITECTS

# AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE 4585 Allstate Drive, Riverside, CA 92501	Dalke & Sons Construction, Inc.
	Ohio Convolty Incurence Company
as Principal, hereinafter called the Principal, and The	
790 The City Drive South, Suite 200, Orange, CA 92868	
a corporation duly organized under the laws of the State	
as Surety, hereinafter called the Surety, are held and fi	irmly bound unto MS43 Office Engineer, Department of Transportation
	1727 30th Street, Sacramento, NC 95816
as Obligee, hereinafter called the Obligee, in the sum	
	Dollars (\$ 10% ),
for the payment of which sum well and truly to be mad executors, administrators, successors and assigns, join	de, the said Principal and the said Surety, bind ourselves, our heirs, ntly and severally, firmly by these presents.
· · · · · · · · · · · · · · · · · · ·	ilding Construction Caltrans Maintenance Station 175 West Cluster
Street	
the Obligee in accordance with the terms of such bid, Contract Documents with good and sufficient surety payment of labor and materials fumished in the prose such Contract and give such bond or bonds, if the Penalty hereof between the amount specified in said to contract with another party to perform the Work cover to remain in full force and effect.	oid of the Principal and the Principal shall enter into a Contract with and give such bond or bonds as may be specified in the bidding or for the faithful performance of such Contract and for the prompt ecution thereof, or in the event of the failure of the Principal to enter Principal shall pay to the Obligee the difference not to exceed the bid and such larger amount for which the Obligee may in good faith red by said bid, then this obligation shall be null and void, otherwise
Signed and sealed this 9th day of	May , 2016
(Witness)	Dalke & Sons Construction, Inc.  (Principal)  (Seel)  By:  Barry Dalke, Vice President (Title)
(Witness)	The Ohio Casualty Insurance Company  (Surety)  (Seel)  Attorney-in-Fact Heather Burroughs  (Titie)

AIA DOCUMENT A310 ● BID BOND ● AIA ● FEBRUARY 1970 ED. ● THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 N.Y. AVE., N.W., WASHINGTON, D.C. 20006

### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

CALIFORNIA ALL-PORTOSE ACRISTATATA	SHIERI CODE 9 1:102			
	cate verifies only the identity of the individual who signed the the truthfulness, accuracy, or validity of that document.			
State of North Carolina				
County of <u>Durham</u>	)			
On May 9, 2016 before me,	Jason Lee Sayers			
Date	Here Insert Name and Title of the Officer			
personally appeared Heather Burroughs				
	Name(s) of Signer(s)			
subscribed to the within instrument and acknowledge	y evidence to be the person(s) whose name(s) is/are wledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), acted, executed the instrument.			
	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.			
	WITNESS my hand and official seal.			
JASON LEE SAYERS NOTARY PUBLIC WAKE COUNTY, N.C. My Commission Expires 6-24-2020.	Signature of Notery Public			
Place Notary Seal Above  OPTIONAL  Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.				
Description of Attached Document				
Title or Type of Document:	Document Date:			
Number of Pages: Signer(s) Other Tr	an Named Above:			
Capacity(les) Claimed by Signer(s) Signer's Name:	Signer's Name:			
☐ Corporate Officer — Title(s):	Signer's Name:  Corporate Officer — Title(s):			
□ Partner — □ Limited □ General	☐ Partner — ☐ Limited ☐ General			
☐ Individual ☐ Attorney in Fact ☐ Trustee ☐ Guardian or Conservator	☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator			
☐ Other:Signer Is Representing:	☐ Other:			
Va. 2 (Marcan Selection 16 (18 20 20 20 20 20 20 20 20 20 20 20 20 20	## \$P### Co.Tro.Tro.Tro.Tro.Tro.Tro.Tro.Tro.Tro.Tr			

©2014 National Notary Association • www.NationalNotary.org • 1-800-US NOTARY (1-800-876-6827) Item #5907

Certificate No. 7281022

# Power of Attorney call am and 4:30 pm EST on any business day. To confirm the validity of this 1-610-832-8240 between 9:00

### **POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute Adam Pfanmiller; Bobbi D. Pendleton; Camille Smith; Christopher A. Lydick; Heather Burroughs; Jason Lee Sayers; Julia C. McEiligott; Kenneth J. Peeples; Neil B. Biller; Phoebe C. Honeycutt

each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge state of NC all of the city of Durham and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed day of March 2016 thereto this 3rd American Fire and Casualty Company

1912

STATE OF PENNSYLVANIA COUNTY OF MONTGOMERY

guarantees.

for mortgage, note, loan, letter of credit,

Not valid

rate or residual value

55

2016, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written. COMMONWEALTH OF PENNSYLVANIA

GA PAST

Notarial Seal Teresa Pastella, Notary Public Plymouth Twp., Montgomery County My Commission Expires March 28, 2017

Member, Pennsylvania Association of Notaries

The Ohio Casualty Insurance Company Liberty Mutual Insurance Company

West American Insurance Company

David M. Carey, Assistant Secretary

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this \_\_\_\_\_ day of \_\_\_\_\_\_

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